

**State of Kansas**  
**Board of Pharmacy**  
**Notice of Hearing on Proposed Administrative Regulations**

A public hearing will be conducted on Thursday, August 17, 2017 at 1:00 p.m. in the Board of Regents Board Room at 1000 SW Jackson, Suite 520, Topeka, Kansas to review and consider the adoption of proposed permanent regulations of the Kansas State Board of Pharmacy.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the public hearing to Alexandra Blasi, Executive Secretary, 800 S.W. Jackson, Suite 1414, Topeka, Kansas 66612-1244 or by e-mail to [pharmacy@ks.gov](mailto:pharmacy@ks.gov). All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the public hearing should be made at least 10 business days in advance of the hearing by contacting Alexandra Blasi, Executive Secretary, 800 S.W. Jackson, Suite 1414, Topeka, Kansas 66612-1244 or by phone at (785) 296-4056. Handicapped parking is located across the street from the north entrance to the building. Curbs at the north entrances are accessible to individuals with disabilities.

Summaries of the proposed regulation and its economic impact follow. (Note: Statements indicating that a regulation is “not anticipated to have any economic impact” are intended to

indicate that no economic impact on the Kansas State Board of Pharmacy, other state agencies, state employees, or the general public has been identified.)

Copies of the regulation and economic impact statement may be viewed at

<http://pharmacy.ks.gov/statutes-regs/proposed-reg-changes>.

**K.A.R. 68-7-23. Dispensing and administration of emergency opioid antagoists without a prescription.** In accordance with 2017 HB 2217, this regulation creates requirements for pharmacist dispensing of naloxone to patients, bystanders, first responder agencies, and school nurses without a prescription in accordance with a statewide protocol established by the Board, including labeling, counseling, wholesale sales, reporting, recordkeeping, and other duties. The regulation also sets requirements for school nurses and first responder agencies (and employees) to complete training and education necessary to receive, carry, and administer emergency opioid antagonists.

Any economic impact on the Board will be related to general licensing, document processing and storage, and program compliance and oversight. Costs to the Board might appear in the form of administrative staff time, are anticipated to be minimal, and will be absorbed by current staff and resources. Pharmacists may experience an impact related to time reviewing the protocol, acquiring necessary training, and providing notification to the Board. However, the authority to dispense without a prescription is optional for pharmacists, not mandatory. Businesses (including pharmacies, first responder agencies, or schools) may be impacted by the staff time required for necessary training/education or the costs associated with acquiring the emergency opioid antagonist and storing the drug. Costs to private individuals or other businesses would not differ from the status quo, therefore, no impact is anticipated. In all instances, the Board does not anticipate any financial impact upon other governmental agencies, and the Board is unaware of any less costly or less intrusive methods to achieve the stated purposes and thus none were considered.